

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Hamud, Fozia M.
)
Avi ASHKENAZI, <i>et al.</i>) Art Unit: 1647
)
Application Serial No. 09/997,573) Confirmation No: 3279
)
Filed: November 15, 2001) Attorney's Docket No. 39780-2730 P1C45
)
For: PRO1375 POLYPEPTIDES) Customer No. 35489
)

Filed via EFS

DATE MAILED: February 21, 2008

ON APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

REQUEST TO WITHDRAW APPEAL BY APPELLANTS

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents -
P.O. Box 1450
Alexandria, VA 22313-1450

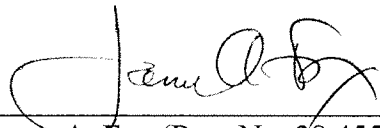
Dear Sir:

Appellants hereby expressly withdraw the appeal in the instant application, and abandon this application solely to pursue patentable matter in a continuing application. This withdrawal and abandonment is made without prejudice to Appellants' ability to argue and/or present additional evidence in the future relating to the patentability of same or similar claims, in related or unrelated applications. By such withdrawal, Appellants do not concede the merits of the rejections in this or any related application, and reserve all rights to continue to present argument and evidence on the relevant issues. I am the attorney or agent of record.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2730 P1C45)**. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: February 21, 2008

By: 
James A. Fox (Reg. No. 38,455)

HELLER EHRMAN LLP

275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

SV 2333822 v1